

William B. Pollard, III (WB-9542)  
Catherine M. Irwin (CI-7287)  
Kornstein Veisz Wexler & Pollard, LLP  
757 Third Avenue  
New York, New York 10017  
(212) 418-8600

*Attorneys for Plaintiff  
Executive Risk Indemnity Inc.*

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
EXECUTIVE RISK INDEMNITY INC., : : 08 Civ. 1822 (DLC/AJP)  
Plaintiff, : :  
-v- : : NOTICE OF RULE 81.1  
WESTPORT INSURANCE CORPORATION, : : STATEMENT OF OMITTED  
Defendants. : : INFORMATION ON  
: : REMOVAL  
-----X

Pursuant to Local Rule 81.1 of the Federal Rules of Civil Procedure, Plaintiff Executive Risk Indemnity Inc., by and through the undersigned counsel, states that attached as Exhibit A is the summons that was filed in the state court. Attached as Exhibit B are the affidavits of service.

Dated: New York, New York  
March 3, 2008

KORNSTEIN VEISZ WEXLER & POLLARD, LLP

By: s/ Catherine M. Irwin

William B. Pollard, III (WB-9542)  
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SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

EXECUTIVE RISK INDEMNITY INC.,

X

Index No.

Date purchased: January 23, 2008

Plaintiff,

:

Plaintiff designates New York  
County as the place of trial.

- against -

:

The basis of the venue is  
CPLR 503(a) and (c)

WESTPORT INSURANCE CORPORATION,

:

**SUMMONS 08600200**

Defendant.

X

Plaintiff resides at  
55 Water Street  
New York, New York 10041  
County of New York

TO THE ABOVE-NAMED DEFENDANTS:

**YOU ARE HEREBY SUMMONED** to answer the complaint in the action and to serve a copy of your answer, within twenty (20) days after the service of this summons, exclusive of the day of service, or within thirty (30) days after service is complete if this summons is not personally delivered to you within the State of New York. In case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

Dated: New York, New York  
January 23, 2008

KORNSTEIN VEISZ WEXLER &amp; POLLARD, LLP

By: William B. Pollard, III

William B. Pollard, III  
Catherine M. Irwin

757 Third Avenue  
New York, New York 10017  
(212) 418-8600

*Attorneys for Plaintiff*

TO: **WESTPORT INSURANCE CORPORATION**  
1114 Avenue of the Americas  
New York, New York 10036

William B. Pollard, III (WB-9542)  
Catherine M. Irwin (CI-7287)  
Kornstein Veisz Wexler & Pollard, LLP  
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(212) 418-8600

*Attorneys for Plaintiff  
Executive Risk Indemnity Inc.*

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

EXECUTIVE RISK INDEMNITY INC., : 08 Civ. 1822 (DLC/AJP)  
Plaintiff, :  
-v- :  
WESTPORT INSURANCE CORPORATION, : AFFIDAVIT OF SERVICE  
Defendants. :  
-----x  
STATE OF NEW YORK )  
 ) ss.:  
COUNTY OF NEW YORK )

CATHERINE M. IRWIN, being duly sworn, deposes and says:

1. I am not a party to the action, am over 18 years of age, and reside in New York, New York.

2. On February 29, 2008, I served a true copy of the **SUMMONS**, by e-mailing the same to the last known e-mail address of the following as indicated below:

Robert Conlon  
WALKER WILCOX MATOUSEK LLP  
225 West Washington Street, Suite 2400  
Chicago, Illinois 60606-3418  
(312) 244-6700  
rconlon@wwmlawyers.com  
*Attorney for Defendant Westport Insurance Corporation*

3. Robert Conlon previously agreed to accept service on behalf of the defendant.



CATHERINE M. IRWIN

Sworn to before me this  
3 day of March, 2008

  
NOTARY PUBLIC

**MARIANA PASTORE**  
NOTARY PUBLIC, State of New York  
No. 02PA6097469  
Qualified in Kings County  
Commission Expires Aug. 18, 2011

William B. Pollard, III (WB-9542)  
 Catherine M. Irwin (CI-7287)  
 Kornstein Veisz Wexler & Pollard, LLP  
 757 Third Avenue  
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 (212) 418-8600

*Attorneys for Plaintiff  
 Executive Risk Indemnity Inc.*

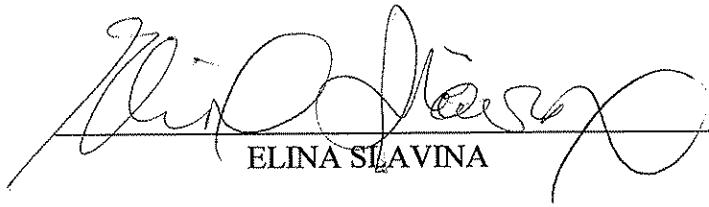
UNITED STATES DISTRICT COURT  
 SOUTHERN DISTRICT OF NEW YORK

EXECUTIVE RISK INDEMNITY INC.,	:	X
Plaintiff,	:	08 Civ. 1822 (DLC/AJP)
-v-		:
WESTPORT INSURANCE CORPORATION,	:	<b><u>AFFIDAVIT OF SERVICE</u></b>
Defendants.	:	
STATE OF NEW YORK )		
) ss.:		
COUNTY OF NEW YORK )		

ELINA SLAVINA, being duly sworn, deposes and says:

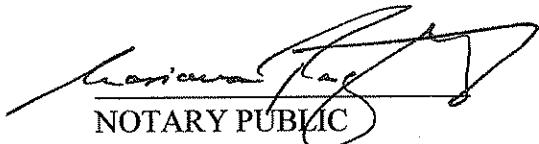
1. I am not a party to the action, am over 18 years of age, and reside in Brooklyn, New York.
2. On February 29, 2008, I served a true copy of the **SUMMONS**, by mailing the same by FedEx - Priority Overnight, in a FedEx Envelope, within the State of New York, addressed to the last known address of the following as indicated below:

Robert Conlon  
 WALKER WILCOX MATOUSEK LLP  
 225 West Washington Street, Suite 2400  
 Chicago, Illinois 60606-3418  
 (312) 244-6700  
*Attorney for Defendant Westport Insurance Corporation*



ELINA SLAVINA

Sworn to before me this  
3 day of March, 2008



NOTARY PUBLIC

**MARIANA PASTORE**  
**NOTARY PUBLIC, State of New York**  
No. 02P-16097469  
Qualified in Kings County  
Commission Expires Aug. 18, 2011